

REMARKS

In response to the decision by the Board of Patent Appeals and Interferences dated July 27, 2007, the Applicant has amended the current pending claims to more clearly more clearly bring out the subject matter being claimed. More specifically, Applicant's independent claim 18 has been amended to now call for a two-stage fishing bobber responsive to different fishing forces including:

“... a spring having a spring constant that is substantially equal to the spring constant of the bobber in water so that the total force required to compress the spring with respect to the bobber main body causes complete submersion of the bobber main body and a resiliently displaceable member to allow the simultaneous submersion of the bobber main body and the displacement of the member with respect to the bobber main body so as to provide gradual resistance.” (Emphasis added.)

Applicant's dependent claim 19 has been amended to now call for the two stage fishing bobber of claim 18:

“... wherein the force to displace said member to a down position is substantially equal to the buoyant force of the bobber main body so that a complete displacement of the member to the down position in the body of water results in the complete submersion of the bobber main body.” (Emphasis added.)

Applicant's independent claim 22 has been amended to now call for a two-stage fishing bobber responsive to different fishing forces including:

“... a member resiliently and gradually displaceable in a body of water with respect to said bobber main body in response to a force on said member, said member having a displacement force equal to the buoyancy force of the bobber main body so that a complete displacement of the member results in the complete submersion of the bobber main body in the body of water to thereby allow the simultaneous and gradually submersion of the bobber main body and the gradually displacement of the member with respect to the bobber main body so as to provide gradual resistance.” (Emphasis added.)

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In response to an Office Action dated July 27, 2007, the Applicant has amended the current pending claims to more clearly bring out the subject matter being claimed. More specifically, Applicant's independent claim 18 has been amended to now call for a two-stage fishing bobber responsive to different fishing forces including:

“... a spring having a spring constant that is substantially equal to the spring constant of the bobber in water so that the total force required to compress the spring with respect to the bobber main body causes complete submersion of the bobber main body and a resiliently displaceable member to allow the simultaneous submersion of the bobber main body and the displacement of the member with respect to the bobber main body so as to provide gradual resistance.” (Emphasis added.)

Applicant's dependent claim 19 has been amended to now call for the two stage fishing bobber of claim 18:

“... wherein the force to displace said member to a down position is substantially equal to the buoyant force of the bobber main body so that a complete displacement of the member to the down position in the body of water results in the complete submersion of the bobber main body.” (Emphasis added.)

Applicant's independent claim 22 has been amended to now call for a two-stage fishing bobber responsive to different fishing forces including:

“... a member resiliently and gradually displaceable in a body of water with respect to said bobber main body in response to a force on said member, said member having a displacement force equal to the buoyancy force of the bobber main body so that a complete displacement of the member results in the complete submersion of the bobber main body in the body of water to thereby allow the simultaneous and gradually submersion of the bobber main body and the gradually displacement of the member with respect to the bobber main body so as to provide gradual resistance.” (Emphasis added.)

The Applicant has also added new independent claim 29 to the present case. New claim 29 calls for a two-stage fishing bobber responsive to different fishing forces comprising:

“... a bobber main body providing a buoyant force to normally maintain the bobber main body in a floating condition in a body of water;

a resiliently displaceable member extending through the bobber main body, the resiliently displaceable member normally resting in an up position and displaceable to a fully down position with respect to the bobber main body; and

a spring having a spring constant that is substantially equal to the total force required to completely submerge the bobber main body in the body of water wherein the total compression of the spring with respect to the bobber main body in the body of water results in the displacement of the resiliently displaceable member to the fully down position with respect to the bobber main body and the complete submersion of the bobber main body in the body of water to allow the simultaneous complete submersion of the bobber main body and the displacement of the member to the fully down position with respect to the bobber main.”

(Emphasis added.)

Support for the Applicant’s above amendment to claims 18, 19, and 22 and the addition of new independent claim 29 can be found for example on page 15, lines 1-26, page 16, lines 1-27, page 17, lines 1-4 and Figures 11-13 of the Applicant’s disclosure.

The Applicant respectfully submits that Applicant’s amended claims 18, 19, and 22 and Applicant’s new claim 29 are allowable over the cited reference of Riead as the reference of Riead does not teach “... a spring having a spring constant that is substantially equal to the spring constant of the bobber in water so that the total force required to compress the spring with respect to the bobber main body causes complete submersion of the bobber main body and a resiliently displaceable member...” as called for in Applicant’s amended claims 18 and 19; a “...member having a displacement force equal to the buoyancy force of the bobber main body so that a complete displacement of the member results in the complete submersion of the bobber main body in the body of water...” as called for in Applicant’s amended claim 22; or “... a spring having a spring constant that is

substantially equal to the total force required to completely submerge the bobber main body in the body of water wherein the total compression of the spring with respect to the bobber main body in the body of water results in the displacement of the resiliently displaceable member to the fully down position with respect to the bobber main body and the complete submersion of the bobber main body in the body of water..." as called for in new claim 29.

It is further submitted that the cited reference of Riead also does not teach "... a complete displacement of the member to the down position in the body of water results in the complete submersion of the bobber main body..." as called for in Applicant's amended claim 19.

Instead, it is submitted that the reference of Riead is a contrary teaching to the above by specifically teaching the compression of the spring (to light the lamp in the float) before the float submerges. Support for the above can be found in column 5, lines 8-12 wherein the reference of Riead specifically teaches Riead's spring 64 as having a tension that provides sufficiently sensitivity to Riead's lamp switch 40 so that:

"...the lamp will be lighted by an additional leader load less than that required to submerge the float completely. Otherwise the lamp might not light at all, or only after the float was submerged, when it would be useless." (Emphasis added.)

Further support can be found in column 5, lines 12-18 wherein Riead further discloses:

"Turning collar **66** adjusts the tension of spring **64**, and adjustment may be made with the float in the water, taking are that the lamp does not light under normal leader load, or under any normal and reasonable agitation of the float, but does light in response to a downward pull on the leader before the float body submerges completely." (Emphasis added.)

In addition, the Applicant has added new claims 23-28 and 30 to the present case. Applicant's new claim 23 calls for the "... two-stage fishing bobber responsive to different fishing forces of claim 18 wherein the spring is a compression spring." Support for new claim 23 can be found on page 6, lines 20-22 of the Applicant's disclosure.

Applicant's new claim 24 calls for the "... two-stage fishing bobber responsive to different fishing forces of claim 18 wherein said spring is a tension spring." Support for new claim 24 can be found on page 10, lines 15-18 of the Applicant's disclosure.

Applicant's new claim 25 calls for the "... two-stage fishing bobber responsive to different fishing forces of claim 18 including a stop cap connected to an upper end of the resiliently displaceable member to maintain the spring encircling a portion of the resiliently displaceable member." Support for new claim 25 can be found on page 11, lines 1-12 and Figure 7 of the Applicant's disclosure.

Applicant's new claim 26 calls for the "... two-stage fishing bobber responsive to different fishing forces of claim 18 including a fixed stop connected to a lower end of the resiliently displaceable member to prevent the resiliently displaceable member from sliding through the bobber main body." Support for new claim 26 can be found on page 10, lines 12-18 and Figure 7 of the Applicant's disclosure.

Applicant's new claim 27 calls for the "... two-stage fishing bobber responsive to different fishing forces of claim 18 including a resilient chemiluminescence capsule holder

supported by said bobber main body to provide for nighttime fishing.” Support for new claim 27 can be found on page 12, lines 4-12 of the Applicant’s disclosure. It is respectfully submitted that the a review of the reference of Riead failed to reveal the teaching of the aforementioned.

Applicant’s new claim 28 calls for the “... two-stage fishing bobber responsive to different fishing forces of claim 19 wherein the resiliently displaceable member has a hollow center allowing for a fishing line to run therethrough and a fishing line engaging member having an opening which allows an unknotted fishing line to slide through but can be blocked from sliding therethrough by a knot on the fishing line.” Support for new claim 28 can be found on page 6, lines 16-120 of the Applicant’s disclosure. It is respectfully submitted that the reference of Riead does not teach the aforementioned as Riead does not teach a resiliently displaceable member has a hollow center allowing for a fishing line to run therethrough. Riead instead teaches the use of a hook 72 for securing a fishing line to Riead’s device.

Applicant’s new claim 30 calls for the “... two-stage fishing bobber responsive to different fishing forces of claim 29 wherein the spring is supported on an upper end of the bobber main body by the resiliently displaceable member.” Support for new claim 30 can be found for example in Figures 11, 12, and 13 of the Applicant’s disclosure. It is respectfully submitted that the reference of Riead does not teach the aforementioned as Riead does not teach Riead’s spring as being supported on Riead’s dome 6.

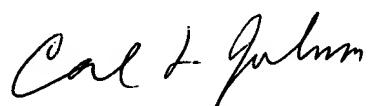
In further regards to Applicant's claims 19, 23-28 and 30, Applicant's claims 19 and 23-28 each depends on independent claim 18 and Applicant's dependent claim 30 depends on Applicant's independent 29. Since Applicant's independent claims 18 and 29 are allowable for the reasons given above, Applicant's dependent claims 19, 23-28 and 30 should also be allowable. In view of the above, it is respectfully submitted that the application is in condition for allowance. Allowance of claims 18, 19, 22-30, as amended, is respectfully requested. Applicant has enclosed a version of the amendment showing changes made with this response.

The Applicant has also enclosed an executed PTO/SB/30 transmittal form for the filing of a request for continued examination for the above-identified application under 37 C.F.R. 1.114. Also enclosed is a credit card authorization form in the amount of \$395.00 in payment of the filing fee for the request for continued examination. The Applicant qualifies for small entity status. Please charge any additional fees that may be due to Deposit Account 10-0210.

Respectfully submitted,

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Enclosures